1 Nicolas Daluiso, OSB #126155 2 ndaluiso@robinsontait.com Lisa McMahon-Myhran, OSB #00084 3 lmcmahon@robinsontait.com 4 Robinson Tait, P.S. 701 Second Avenue, Suite 710 5 Seattle, WA 98104 Tel: (206) 676-9640 6 Fax: (206) 676-9659 7 UNITED STATES DISTRICT COURT 8 IN AND FOR THE DISTRICT OF OREGON 9 Case No.: 6:13-cv-902-TC LISA CARRIGAN, individually and JACK 10 D. SCHLICKING and LAUREN SCHICKLING as husband and wife and 11 individually. DECLARATION OF NICOLAS DALUISO IN 12 SUPPORT OF DEFENDANT REGIONAL Plaintiffs Pro Se, TRUSTEE SERVICES CORPORATION'S 13 MOTION TO STRIKE REGIONAL TRUSTEE V. 14 SERVICES CORPORATION'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. FIRST AMERICAN TITLE INSURANCE 15 TRUSTEE | P.12(b)(6) COMPANY, REGIONAL SERVICES CORPORATION, FIDELITY 16 NATIONAL TITLE **INSURANCE** 17 COMPANY, RECONTRUST COMPANY, N.A., GN **MORTGAGE** LLC., 18 GUARANTY BANK, F.S.B., BAC HOME LOANS SERVICING, COUNTRYWIDE 19 HOME LOANS SERVICING, LP., BANK AMERICA, N.A., MORTGAGE 20 ELECTRONIC REGISTRATION 21 **SYSTEMS** (MERSCORP); **ELAINE** LOUISE HOWARD, Public Notary, d/b/a 22 **AFFORDABLE DOCUMENT** PROCESSING: **CHRISTINA** 23 BALANDRAN; DANIEL RODRIGUEZ, LINDA GREEN and John and Mary Does 24 1-10. 25 Defendants. 26 I, Nicolas Daluiso, declare: 27 28

DECLARATION IN SUPPORT OF MOTION TO STRIKE - 1 60021-0828-JUD-2

2
3
4 5
5
6
7
7 8
9
10
11
12
13
14
14 15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 1. That I am one of the attorneys for defendant Regional in the above-entitled action and make this Declaration based on personal knowledge.
- 2. Prior to the filing of Regional's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6), I mistakenly believed that I had sent an email to plaintiff Schickling that was not responded to in regards to an LR-7-1 conference.
 - 3. Plaintiff's opposition to the Motion to Dismiss claimed that no LR-7 had occurred.
- 4. Upon inspection of my email records, I was able to determine and confirm, that I had not sent plaintiff notification in compliance with LR-7-1.

I declare under the penalty of perjury under the laws of the State of Oregon that the foregoing is true and correct.

DATED this _// day of September, 2013, at Seattle, Washington.

Nicolas Daluiso, OSB #126155 ndaluiso@robinsontait.com Lisa McMahon-Myhran, OSB #00084 lmcmahon@robinsontait.com Robinson Tait, P.S. 701 Second Avenue, Suite 710

Seattle, WA 98104 Tel: (206) 676-3268 Fax: (206) 676-9659